

**FILED**  
DISTRICT COURT OF GUAM

NOV - 3 2005

**MARY L.M. MORAN**  
CLERK OF COURT

xuezhengind

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Attorneys for the United States of America

IN THE UNITED STATES DISTRICT COURT  
FOR THE TERRITORY OF GUAM

UNITED STATES OF AMERICA,

Plaintiff.

vs.

XUE MING ZHENG,  
aka ZHUN ZHONG XEA,  
aka ZHAN ZHONG YEA,  
aka CUN ZHONG XUA,  
aka ZHUN ZHONG XUA,

Defendant.

CRIMINAL CASE NO.

05-00080

**INDICTMENT**

**FALSE SWEARING IN  
IMMIGRATION MATTER**  
[18 U.S.C. § 1546(a)]

**PERJURY**  
[18 U.S.C. § 1621]

THE GRAND JURY CHARGES:

**COUNT 1 - FALSE SWEARING IN IMMIGRATION MATTER**

On or about the 24th day of June, 2004, in the District of Guam, the defendant, XUE MING ZHENG aka ZHUN ZHONG XEA aka ZHAN ZHONG YEA, aka CUN ZHONG XUA, aka ZHUN ZHONG XUA, did knowingly subscribe as true under penalty of perjury under 28 U.S.C. § 1746, a false statement with respect to a material fact in an Application for Asylum and for Withholding of Removal, a document required by immigration law or regulation prescribed

1 thereunder, to wit, that is, that he had never been in immigration court proceeding and that his  
2 date of birth was July 24, 1968, which said statements the defendant then and there knew were  
3 false, in that he had previously been in immigration court proceedings and his date of birth was  
4 not July 24, 1968, in violation of Title 18, United States Code, Section 1546(a).

5  
6 **COUNT 2 - PERJURY**

7 1. On or about the 24<sup>th</sup> day of June, 2004, in the District of Guam, XUE MING ZHENG  
8 aka ZHUN ZHONG XEA aka ZHAN ZHONG YEA, aka CUN ZHONG XUA, aka ZHUN  
9 ZHONG XUA, did submit a material written Application for Asylum and for Withholding of  
10 Removal, executed under penalty of perjury under the format of 28 U.S.C. § 1746, in which he  
11 did willfully and knowingly state material matters which he did not believe to be true, that is to  
12 say: that he had never been in immigration court proceeding and that his date of birth was July  
13 24, 1968.

14 2. At the time and place aforesaid the Immigration and Naturalization Service (INS), did  
15 require that applications for asylum by it be in writing and executed in the format provided by 28  
16 U.S.C. § 1746. It was material to such asylum application that the applicants state if the  
17 applicant had ever previously been in immigration court proceeding, and his correct date of birth.

18 3. At the time and place aforesaid, XUE MING ZHENG aka ZHUN ZHONG XEA aka  
19 ZHAN ZHONG YEA, aka CUN ZHONG XUA, aka ZHUN ZHONG XUA, submitted a signed  
20 written Application for Asylum to the INS, which contained the following statement: "I declare  
21 under penalty of perjury that the forgoing is true and correct. Executed on June 24, 2004.  
22 Signature Zheng Xue Ming." The application signed and submitted by XUE MING ZHENG aka  
23 ZHUN ZHONG XEA aka ZHAN ZHONG YEA, aka CUN ZHONG XUA, aka ZHUN ZHONG  
24 XUA, did falsely state that the statements in paragraph one, above, were true.

25 //

26 //

1 4. The aforesaid statements in the application signed and submitted by XUE MING  
2 ZHENG aka ZHUN ZHONG XEA aka ZHAN ZHONG YEA, aka CUN ZHONG XUA, aka  
3 ZHUN ZHONG XUA, as he then and there well knew and believed, were false in that he had  
4 previously been in immigration court proceedings and he was not born on July 24, 1968.


5 All in violation of Title 18, United States Code, Section 1621.

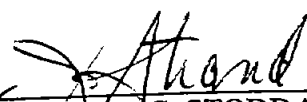
6 Dated this 3<sup>rd</sup> day of November, 2005.

7 A TRUE BILL.

8   
9  
10 Foreperson

11 LEONARDO M. RAPADAS  
12 United States Attorney  
13 Districts of Guam and NMI

14 By:   
15 FREDERICK A. BLACK  
16 Assistant U.S. Attorney

17   
18 RUSSELL C. STODDARD  
19 First Assistant U.S. Attorney  
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## Place of Offense:

City Hagåtña

## Related Case Information:

Country/Parish \_\_\_\_\_

Superseding Indictment \_\_\_\_\_ Docket Number 05-00080  
Same Defendant \_\_\_\_\_ New Defendant x  
Search Warrant Case Number \_\_\_\_\_  
R 20/ R 40 from District of \_\_\_\_\_

## Defendant Information:

Juvenile: Yes \_\_\_\_\_ No X Matter to be sealed: \_\_\_\_\_ Yes x NoDefendant Name XUE MING ZHENGAlias Name Zhun Zhong Xea, aka Zhan Zhong Yea,aka Cun Zhong Xua, aka Zhun Zhong Xua

Address \_\_\_\_\_

**RECEIVED**  
NOV - 3 2005DISTRICT COURT OF GUAM  
HAGATNA, GUAMBirthdate 1963 SS# \_\_\_\_\_ Sex M Race A Nationality Chinese

## U.S. Attorney Information:

AUSA FREDERICK A. BLACKInterpreter: \_\_\_\_\_ No X Yes List language and/or dialect: Chinese/Mandarin

## Location Status:

Arrest Date \_\_\_\_\_

☐ Already in Federal Custody as of \_\_\_\_\_ in \_\_\_\_\_☐ Already in State Custody☐ On Pretrial Release

## U.S.C. Citations

Total # of Counts: 2 \_\_\_\_\_ Petty \_\_\_\_\_ Misdemeanor X FelonyIndex Key/CodeDescription of Offense ChargedCount(s)

Set	1	18 USC 1546(a)	False Swearing in Immigration Matter	1
Set	2	18 USC 1621	Perjury	2
Set	3			
Set	4			

(May be continued on reverse)

Date: \_\_\_\_\_ Signature of AUSA: Fredrick A. Black